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March 22, 2004

## CERTIFICATE OF MAILING 37 C.F.R. 1.8

I certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: MS DD, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

March 22, 2004  
Date

  
Mark B. Wilson

MS DD  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

RE: *U.S. Patent Application No. 10/730,361 entitled "COMPOSITIONS AND METHODS RELATED TO LIPID:EMODIN FORMULATIONS" – David Claxton et al.*  
*Our reference: UTSC:776US*  
*Client reference: MDA03-012*


Sir:

Enclosed for filing in the above-referenced patent application is an Information Disclosure Statement, Form PTO-1449, and references A1-A5 and C1-C9.

No fees are believed to be due in connection with the filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to the enclosed materials, the Commissioner is authorized to deduct the appropriate fees from Fulbright & Jaworski Deposit Account No.: 50-1212/UTSC:776US.

Please date stamp and return the enclosed postcard evidencing receipt of these materials.

Respectfully submitted,



Mark B. Wilson  
Reg. No. 37,259

MBW/kmv  
Encl.: as noted



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
David Claxton *et al.*

Serial No.: 10/730,361

Filed: December 8, 2003

For: COMPOSITIONS AND METHODS  
RELATED TO LIPID:EMODIN  
FORMULATIONS

Group Art Unit: Unknown

Examiner: Unknown

Atty. Dkt. No.: UTSC:776US

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March 22, 2004

Date

Mark B. Wilson

**INFORMATION DISCLOSURE STATEMENT**

**MS DD**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

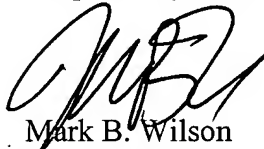
In accordance with 37 C.F.R §§ 1.97(g), (h), this Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be

an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The present Information Disclosure Statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits, and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with the filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is authorized to deduct the appropriate fees from Fulbright & Jaworski Deposit Account No.: 50-1212/UTSC:776US.

Applicants respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,



Mark B. Wilson  
Reg. No. 37,259  
Attorney for Applicants

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Date: March 22, 2004

Form PTO-1449 (modified)

Atty. Docket No.

Serial No.

UTSC:776US

10/730,361

List of Patents and Publications for Applicant's

Applicant

David Claxton *et al.*

INFORMATION DISCLOSURE STATEMENT

Filing Date:

December 8, 2003

Group:

Unknown

(Use several sheets if necessary)

U.S. Patent Documents

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Foreign Patent Documents

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Other Art

See Page 1

## U.S. Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.
	A1	5,053,431	10/01/91	Watanabe <i>et al.</i>	514	649	6/26/90
	A2	5,316,768	5/31/94	Hughes and Wood	424	433	9/11/92
	A3	5,466,455	11/14/95	Huffstutler and Steuart	424	401	9/15/93
	A4	6,326,356	12/04/01	Hung <i>et al.</i>	514	44	10/18/96
	A5	6,328,988	12/11/01	Uhrich	424	422	10/21/99

## Foreign Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No

## Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
*	C1	Chan <i>et al.</i> , "Selective inhibition of the growth of ras-transformed human bronchial epithelial cells by emodin, a protein-tyrosine kinase inhibitor," Biochemical and Biophysical Research Communications, 193(3):1152-1158, 1993.
*	C2	Chang <i>et al.</i> , "Oncogene signal transduction inhibitors from Chinese medicinal plants," <i>Pure App. Chem.</i> , 71(6):1101-1104, 1999.
*	C3	Jayasuriya <i>et al.</i> , "Emodin, a protein tyrosine kinase inhibitor from Polygonum cuspidatum," <i>J. Nat. Prod.</i> , 55(5):696-698, 1992.
	C4	Kaul <i>et al.</i> , "Use of complementary/alternative medical therapies by oncology patients in India," Oncology Forum, 4(3), <a href="http://www.scientific-com.com/oncology/vol4.3/articles/article1.html">http://www.scientific-com.com/oncology/vol4.3/articles/article1.html</a> .
	C5	Kupchan and Karim, "Tumor inhibitors. 114. Aloe emodin: antileukemic principle isolated from Rhamnus frangula L," <i>Lloydia</i> , 39(4):223-224, 1976.
	C6	Tsai, "Analytical approaches for traditional Chinese medicines exhibiting antieoplastic activity," <i>J. Chromatography</i> , 764:27-48, 2001.

25389040.1

EXAMINER:

DATE CONSIDERED:

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

INFORMATION DISCLOSURE STATEMENT — PTO-1449 (MODIFIED)

\* I did not receive these documents SA.

Form PTO-1449 (modified)

List of Patents and Publications for Applicant

## INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)



Atty. Docket No.

UTSC:776US

Serial No.

10/730,361

Applicant

David Claxton *et al.*

Filing Date:

December 8, 2003

Group:

Unknown

U.S. Patent Documents

See Page 1

Foreign Patent Documents

See Page 1

Other Art

See Page 1

## Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
/	C7	Yeh <i>et al.</i> , "Effects of anthraquinones of Polygonum cuspidatum on HL-60 cells," <i>Planta Med.</i> , 54(5):413-414, 1988.
/	C8	Zhang <i>et al.</i> , "Tyrosine kinase inhibitor emodin suppresses growth of HER-2/neu-overexpressing breast cancer cells in athymic mice and sensitizes these cells to the inhibitory effect of paclitaxel," <i>Clin. Cancer Res.</i> , 5:343-353, 1999.
/	C9	Zhang <i>et al.</i> , "Tyrosine kinase inhibitors, emodin and its derivative repress HER-2/neu-induced cellular transformation and metastasis-associated properties," <i>Oncogene</i> , 16:2855-2863, 1998.

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